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Company Avoidance Action Trust*

*Attorneys for GoldenTree Loan Opportunities III,  
Ltd. and GoldenTree Loan Opportunities IV, Ltd.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a  
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (MG)  
(Jointly Administered)

Debtors.

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MOTORS LIQUIDATION COMPANY AVOIDANCE  
ACTION TRUST, by and through the Wilmington Trust  
Company, solely in its capacity as Trust Administrator and  
Trustee,

Adversary Proceeding

Plaintiff,

Case No. 09-00504 (MG)

against

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**STIPULATION AND [PROPOSED] ORDER  
DISMISSING ADVERSARY PROCEEDING AGAINST  
GOLDENTREE LOAN OPPORTUNITIES III, LTD.  
AND GOLDENTREE LOAN OPPORTUNITIES IV, LTD.**

**WHEREAS**, on May 20, 2015, Plaintiff filed a First Amended Adversary Complaint for

(1) Avoidance of Unperfected Lien, (2) Avoidance and Recovery of the Postpetition Transfers,

(3) Avoidance and Recovery of Preferential Payments, and (4) Disallowance of Claims by Defendants (“**Amended Complaint**”) (ECF No. 91) and thereafter served the Amended Complaint on, among others, defendants GoldenTree Loan Opportunities III, Ltd. (“**GoldenTree III**”) and GoldenTree Loan Opportunities IV, Ltd. (“**GoldenTree IV**”, and together with GoldenTree III, the “**Defendants**”);

**WHEREAS**, the Amended Complaint alleges that: (i) on or about May 27, 2009, GoldenTree III received a pre-petition transfer in the amount of \$69,945.48 and GoldenTree IV received a pre-petition transfer in the amount of \$69,851.34 (together, the “**Pre-Petition Transfers**”) and (ii) on or about June 30, 2009, GoldenTree III received a post-petition transfer in the amount of \$1,613.96 and GoldenTree IV received a post-petition transfer in the amount of \$1,611.79 (together, the “**Post-Petition Transfers**”, and together with the Pre-Petition Transfers, the “**Transfers**”); and

**WHEREAS**, the Amended Complaint alleges that the Transfers were made pursuant to a certain term loan agreement, dated as of November 29, 2006, as amended by that certain first amendment dated as of March 4, 2009 (the “**Term Loan Agreement**”);

**WHEREAS**, on July 27, 2016, Defendants filed an Answer to the Amended Complaint (ECF No. 691); and

**WHEREAS**, on November 17, 2016, the Court entered a stipulation and order dismissing with prejudice the claims against Defendants relating to the Pre-Petition Transfers (ECF No. 788);

**WHEREAS**, Defendants represent that, to the best of their knowledge, they did not receive any funds relating to the Term Loan Agreement on or after June 30, 2009, other than the Post-Petition Transfers;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and  
between counsel for the parties, that Defendants are dismissed from this adversary proceeding  
and any and all claims against Defendants arising out of or relating to the Term Loan Agreement  
are dismissed with prejudice.

Dated: New York, New York  
July 10, 2018

New York, New York  
July 10, 2018

**BINDER & SCHWARTZ LLP**

**HAHN & HESSEN LLP**

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*Attorneys for GoldenTree Loan Opportunities III,  
Ltd. and GoldenTree Loan Opportunities IV, Ltd.*

**SO ORDERED**

Dated: New York, New York  
\_\_\_\_\_, 2018

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Martin Glenn, United States Bankruptcy Judge